IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MRS. JUSTICE K.HEMA

TUESDAY, THE 23RD JANUARY 2007 / 3RD MAGHA 1928

Crl.Rev.Pet.No. 313 of 2007(E)

CRA.56/1999 of ADDL. SESSIONS COURT (ADHOC)-II, TRIVANDRUM
CC.767/1996 of JUDL. MAGISTRATE OF FIRST CLASS COURT-II, ATTINGAL

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REVN. PETITIONER: APPELLANT/ACCUSED

RAJENDRAN, S/O.GANGADHARAN,
PUTHEN VEEDU, EDAPAZHANADU, KILIMANOOR.

BY ADV. SRI.P.RAVEENDRAN PILLAI
SMT.INDIRA RAVEENDRAN

RESPONDENTS: RESPONDENTS/COMPLAINANTS

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1. STATE OF KERALA REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. MOHAMMED SALI, S/O AHAMMED PILLAI,
PUTHEN BUILDING THALAVILA MUKKU,
KALLAMBALAM.

BY PUBLIC PROSECUTOR
SMT.MEREENA JOSEPH

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 23/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. HEMA, J.

Crl.R.P. No.313 of 2007

Dated this 23rd day of January, 2007.

O R D E R

Revision Petitioner is the accused in C.C.No.767 of 1996 on the file of the Judicial First Class Magistrate's Court NoII, Attingal. Second respondent is the complainant therein. Revision petitioner was convicted and sentenced by the Magistrate's Court to undergo simple imprisonment for one year under Section 138 of the Negotiable Instruments Act. In appeal filed by him, the conviction and sentence were modified by the Additional Sessions Court. This revision arises from the said conviction and sentence.

2. At the time of hearing, both sides submitted that a petition as Crl.M.Appl.No.965 of 2007 is filed for compounding the offence. It is also submitted by both sides that the matter is settled out of court amicably between the parties and the amount is also paid by the petitioner to the satisfaction of the second respondent. On hearing both sides and on going through the averments in the petition, I am satisfied that this is a fit case to grant permission to compound the offence.

In the result, Revision Petitioner is acquitted of offence under section 138 of the Negotiable Instruments Act, as offence is compounded. He is set at liberty forthwith.

Crl. M.Appl.No.965 of 2007 and Revision Petition are allowed.

vgs. **K. HEMA, JUDGE.**